

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

PEY BIN,
PABLO JESUS ELENES-CRUZ,
MIGUEL A. BAEZ,
BONY KUY,

Defendants.

NO. CR09-0061-JCC

PROTECTIVE ORDER

THIS MATTER comes before the Court on the Stipulated Motion for a Protective Order (Dkt. No. 47) pursuant to Federal Rule of Criminal Procedure 16(d), to limit disclosure of audio and/or video recordings of a number of alleged controlled purchases of narcotics from defendant Bony Kuy (hereafter, the “protected material”) to counsel for the Defendant.

The Court, being otherwise fully advised, finds that the government has shown good cause to limit the disclosure and dissemination of the protected materials to defense counsel until closer to trial.

NOW, THEREFORE, it is hereby ORDERED that counsel for the Defendants are prohibited from displaying, disseminating, or otherwise disclosing protected material to

1 the Defendants, prior to July 27, 2009, unless prior authorization is obtained from this
2 Court. After that date, counsel may display the protected material to their respective
3 clients; however, defendants shall not be permitted to retain a copy of the protected
4 material.

5 It is further ORDERED that defense counsel is precluded from displaying,
6 disseminating or otherwise disclosing protected material to any third party without prior
7 consent of the government or prior authorization from this Court; provided, however, that
8 defense counsel is free to display the protected material to investigators assisting them in
9 the preparation of this matter for trial.

10 Nothing in this Order shall be deemed to preclude defense counsel from discussing
11 the contents of any protected material with their respective clients, or otherwise
12 discussing the merits of the government's evidence against Defendants.

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14 DATED this 9th day of July, 2009.

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16 
17 John C. Coughenour
18 UNITED STATES DISTRICT JUDGE

19 Presented by:

20 /s/ Vincent T. Lombardi
21 VINCENT T. LOMBARDI
22 Assistant United States Attorney

23 Approved as to form, Notice of Presentation Waived,

24 /s/ Lynn Hartfield
25 LYNN HARTFIELD
26 Attorney for PEY BIN

/s/ Michael G. Martin
MICHAEL G. MARTIN
Attorney for BONY KUY

27 /s/ Nicholas Marchi
28 NICHOLAS MARCHI
Attorney for MIGUEL BAEZ

/s/ SALLY GARRATT
SALLY GARRATT
Attorney for PABLO ELENES CRUZ